

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

GARY R. BARNES,

Civil 10-3162 (JRT/FLN)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

CITY OF COON RAPIDS AND
LEAGUE OF MINNESOTA CITIES,

Defendants.

Gary R. Barnes, 25067 Nebula Street NE, Stacy, MN 55079, pro se plaintiff.

Jana O'Leary Sullivan, **LEAGUE OF MINNESOTA CITIES**, 145
University Avenue West, St. Paul, MN 55103, for the defendants.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Franklin L. Noel dated October 12, 2010 [Docket No. 6]. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Plaintiff's application for leave to proceed in forma pauperis, [Docket No. 3], is **DENIED**; and

2. This action is **DISMISSED** without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: November 5, 2010
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge